

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

LEDON M. HATCLIFF,

Defendant.

4:12CR3007

ORDER

The defendant's trial, originally scheduled for April 2, 2012, was cancelled because the defendant stated he wanted to enter a change of plea. At the scheduled plea hearing, the court conferred with counsel and with the defendant, and was advised the plea negotiations had stalled and the defendant wanted to proceed to trial.

At the defendant's request, the court will set this matter for trial. After conferring with the defendant and his counsel, and with the defendant's consent, the time between July 10, 2012 and September 18, 2012, will be excluded inasmuch as the defendant's change of mind regarding entering a plea has disrupted the normal scheduling practices of this court, the parties' ability to anticipate the need to prepare for trial, the availability of witnesses, and the parties' trial preparations. Accordingly,

IT IS ORDERED:

- 1) The trial of this case is set to commence before the Honorable John M. Gerrard, in Courtroom 1, United States Courthouse, Lincoln, Nebraska at 9:00 a.m. on September 18, 2012, or as soon thereafter as the case may be called, for a duration of four (4) trial days. Jury selection will be held at commencement of trial.
- 2) The time between July 10, 2012 and September 18, 2012, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case for trial, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

July 10, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge